

PATENT
ATTORNEY DOCKET NO.: DIVER1280-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Michael Lafferty Art Unit: 1634
Application No.: 09/894,956 Examiner: Betty J. Forman
Filed: June 27, 2001 Conf. No. 7268
Title: CAPILLARY ARRAY-BASED SAMPLE SCREENING

Commissioner for Patents
ATTN: Examiner Betty J. Forman
Group Art Unit No. 1634
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 4955 Directors Place, San Diego, California 92121, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/894,956, filed June 27, 2001, entitled CAPILLARY ARRAY-BASED SAMPLE SCREENING as evidenced by an Assignment recorded on September 24, 2001 in the United States Patent and Trademark Office on Reel 012189, Frame 0833. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

CERTIFICATION UNDER 37 CFR §1.6 (d)	
<p>I hereby certify that this paper is being facsimile transmitted to: Commissioner for Patents, ATTN: Examiner Betty J. Forman, Group Art Unit No. 1634, P.O. Box 1450, Alexandria, VA 22313-1450, at the Patent and Trademark Office on the date shown below:</p>	
<u>Cecilia Tobin</u> <i>(Name of person transmitting paper)</i> <u>Cecilia Tobin</u> <i>(Signature)</i>	August 6, 2003 <i>(Date)</i>

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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/894,956, filed June 27, 2001, that would extend beyond the expiration date of U.S. Patent Application Serial No. 09/790,321, filed February 21, 2001. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/894,956 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent granted on U. S. Patent Application Serial No. 09/790,321, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

The Commissioner is hereby authorized to charge the total fee of \$55.00 for the filing of this Terminal Disclaimer, or may apply any underpayment fees due, or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,



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Date: August 6, 2003

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